

Notice of Allowability

Application No.

09/803,534

Examiner

Richard Chang

Applicant(s)

FORSTADIUS ET AL.

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/23/2004.
2. ☒ The allowed claim(s) is/are 1, 3-24, and 26-50, now renumbered as 1-48.
3. ☒ The drawings filed on 03/09/2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>03/09/2004</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. Applicants' amendments and arguments, see amendment, filed on 12/21/2004, with respect to Claims 1, 3-24, and 26-50 have been fully considered and are persuasive. The 35U.S.C.102 rejections have been withdrawn.

None of the previously cited reference teaches the amended Claims 1, 3-24, and 26-50.

Claims 2 and 25 had been cancelled.

Allowable Subject Matter

2. Claims 1, 3-24, and 26-50 are allowed.

Examiner's Statement of Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The prior art along or in combination fails to teach or make obvious the limitations that specifically comprises:

“the at least one mobile device capable of sending a user-initiated request for data using the short-range RF network, the network being arranged to forward said request to the at least one resource;

the at least one resource being arranged to provide the requested data via the network to a node communicating with the at least one mobile device according to the periodically

updated relative information concerning the first databases stored at the second database of the at least one resource; and

wherein the node receiving the requested data is arranged to determine whether the at least one mobile device is still in communication with said node, and; if the at least one mobile device is still in communication with said node according to the periodically updated information stored at the first database, said node forwards the requested data to the at least one mobile device.” as recited in the independent claims 1 and 24,

“a periodically updated first database for maintaining information concerning the at least one mobile device currently in communication with at least one of the plurality of nodes for each node of the short-range RF network wherein the first database is located within each node of the short-range RF network respectively;

the at least one resource having a periodically updated second database including information concerning the plurality of nodes of the short-range RF network and relative information concerning the first databases of each node of the short-range RF network; the at least one mobile device capable of sending a user-initiated request for data using the short-range RF network, the network being arranged to forward said request to the at least one resource;

the at least one resource being arranged to provide the requested data via the network to a node communicating with the at least one mobile device according to the periodically updated relative information concerning the first databases stored at the second database of the at least one resource” as recited in the independent claims 47 and 49, and

“a periodically updated first database for maintaining information concerning the at least one mobile device currently in communication with at least one of the plurality of nodes for each node of the short-range RF network wherein the first database is located within each node of the short-range RF network respectively;

the at least one resource having a periodically updated second database including information concerning the plurality of nodes of the short-range RF network and relative information concerning the first databases of each node of the short-range RF network wherein the at least one resource is further a gateway to other networks;

the at least one mobile device capable of sending a user-initiated request for data using the short-range RF network, the network being arranged to forward said request to the at least one resource;

the at least one resource being arranged to provide the requested data via the network to a node communicating with the at least one mobile device according to the periodically updated relative information concerning the first databases stored at the second database of the at least one resource” as recited in the independent claims 48 and 50.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RKC
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Richard Chang
Patent Examiner
Art Unit 2663

Ricky Ngo
RICKY NGO
PRIMARY EXAMINER

5/31/05